

NEBRASKA SUPREME COURT



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NEWS RELEASE

For Immediate Release

Nebraska Supreme Court Given Top Rankings in Three National Studies

The Nebraska Supreme Court, the highest court in the state, has received high marks in three recent studies comparing similar state courts in the United States. The Nebraska Supreme Court is vested with its authority by the Nebraska Constitution. The Court consists of a Chief Justice and six associate justices. In 2007, the court disposed of 252 cases.

Nebraska's Supreme Court ranks second overall in a study of the lawsuit climate conducted for the U.S. Chamber of Commerce. The Chamber of Commerce study was conducted to examine how reasonable and balanced the tort liability system is perceived to be by businesses. Nebraska was ranked first in the categories of jury predictability and fairness and fourth in the categories of judges' impartiality and competence. In addition, the state court was ranked second in overall treatment of tort and contract litigation and in non-economic damages. The state also was in the top five in enforcing meaningful venue requirements, treatment of class action suits, and timeliness of summary judgment or dismissal.

Nebraska has been ranked by the Chamber of Commerce as the second most favorable state in the overall rankings of state liability systems in each of the last six years, except 2007, when it was ranked third.

In a study published in the University of California Davis Law Review, Nebraska ranked third in the number of cases cited by other courts between 1998 and 2000. The study examined nearly 24,400 state high court decisions issued between 1940 and 2005. The data came from a legal resource that tracks the history of cases and their citation by other courts. Over the 65-year period of the study, Nebraska court opinions were cited nearly 600 times. In the last 20 years, Nebraska was tied for sixth in the number of times cases were followed by other courts five or more times.

A University of Chicago Law School study attempted to determine which states have the best and worst high courts. The study considered productivity, influence, and independence, and when the grades for all three categories were combined, the Nebraska Supreme Court ranked 10th among all 50 appellate courts.

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In ranking productivity, the authors relied on the number of opinions published by each judge in a year, noting that high publication rates benefit the judicial system and suggest high-quality judges. Nebraska ranked 13th in this category. To analyze a court's influence, the study's authors looked to the frequency that a court's opinions are cited by other courts. The study also considered a court's independence. The study defined independence as a judge's ability to withstand partisan pressures when deciding cases. Nebraska's high court ranked 13th in independence. When considering factors that were outside of the court's control, Nebraska ranked sixth in independence.

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